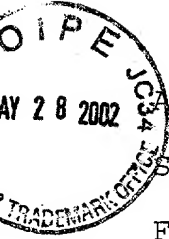


PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



APPLICANT: FRANZ KONRAD-6
SERIAL NO.: 09/900,525 GROUP:
FILED: JULY 6, 2001
TITLE: SEPARATING DEVICE

PRELIMINARY AMENDMENT

ATT: BOX MISSING PARTS
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Preliminary to the examination of this patent application,
please amend the application as follows.

IN THE CLAIMS:

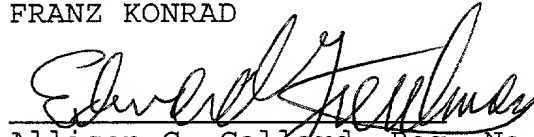
Please delete original claims 1 through 42 and replace with
new claims 43 through 84 as attached hereto.

REMARKS

By this Preliminary Amendment, the multiple dependency of
some of the claims has been removed so as to avoid the surcharge
associated therewith. Entry of this Amendment is respectfully
requested.

COPY

Respectfully submitted,
FRANZ KONRAD



Allison C. Collard, Reg. No. 22,532
Edward R. Freedman, Reg. No. 26,048
Attorney for Applicant

COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802

ERF/11v

I hereby certify that this correspondence is being deposited with
the U.S. Postal Service as first class mail in an envelope
addressed to: Assistant Commissioner of Patents, Washington, D.C.
20231, on November 26, 2001.


Lisa L. Vulpis

O I P E J C
 MAY 28 2002
 TRADEMARK OFFICE

[illegible][illegible]

	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100
1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	

[illegible][illegible]

49. Device according to claim 43, characterised in that the connecting element has a fixing element, e.g. a snap-fit closure, for the other vessel or the connecting device.

50. Device according to claim 43, characterised in that the separating element is selected from a group consisting of filters, silicate membranes, ion-exchanger membranes and columns or separating columns.

51. Device according to claim 43, characterised in that the separating element is arranged in a receptacle that can be placed in the vessel.

52. Device according to claim 43, characterised in that the receptacle has at least two openings, a lip being arranged in the region of one opening which extends at least partially around the circumference of the receptacle.

53. Device according to claim 52, characterised in that an external diameter of the lip corresponds at least approximately to a maximum external diameter of the vessel.

54. Device according to claim 43, characterised in that the separating element is removably arranged in the vessel.

55. Device according to claim 43, characterised in that an annular groove is provided on an internal face of the vessel for fixing the separating element or the receptacle, e.g. the lip.

56. Device according to claim 43, characterised in that the vessel has a lip, in particular annular, on its internal face for retaining the separating element or the receptacle.

57. Device according to claim 43, characterised in that the vessel has a cross section widening in the direction of a longitudinal central axis and this cross section widening forms an annular bearing surface for the separating element.

58. Device according to claim 43, characterised in that the receptacle is secured to the screw cap, in particular removably.

59. Device according to claim 43, characterised in that a stationary phase for at least one additional component is disposed in the receptacle.

60. Device according to claim 43, characterised in that the vessel is evacuated and/or can be evacuated.

61. Device according to claim 43, characterised in that the vacuum is such that a predeterminable quantity of the sample can be sucked into the vessel.

62. Device according to claim 43, characterised in that the vessel is provided in the form of a blood-sampling tube.

63. Device according to claim 43, characterised in that an extraction device is provided on the receptacle which is able to engage with an extraction tool, e.g. tweezers.

64. Device according to claim 43, characterised in that the extraction device is provided in the form of an annular groove in the interior wall of the receptacle or a projection from the interior wall of the receptacle pointing in the direction of the longitudinal central axis or an orifice or a metal element.

65. Kit for isolating at least one component from a sample of biological origin, in particular nucleic acids from whole blood, comprising a separating device according to one of the preceding claims and a connecting device for providing an at least more or less gas-impermeable connection between the separating device and another vessel as well as the other vessel.

66. Kit according to claim 65, characterised in that the connecting device has at least one device for penetrating a septum to establish a flow connection between the separating device and the other vessel.

67. Kit according to claim 65, characterised in that the penetrating device is a cannula, which is double-ended in particular.

68. Kit according to claim 65, characterised in that the connecting device is provided in the form of a vessel.

69. Kit according to claim 68, characterised in that the cannula is retained in an end region of the vessel.

70. Kit according to claim 65, characterised in that at least one cannula end has a safety feature.

71. Kit according to claim 65, characterised in that the connecting device has a closure element, e.g. a tap, for interrupting the flow connection.

72. Kit according to claim 65, characterised in that a fixing element, e.g. a snap-fit closure, for the vessel or vessels is provided in at least one end region of the connecting device.

73. Kit according to claim 65, characterised in that the other vessel is a blood-sampling tube.

74. Kit according to claim 65, characterised in that a reagent or a reagent mixture is placed in the other vessel to stabilise and/or lyse whole blood.

75. Kit according to claim 74, characterised in that the reagent or reagent mixture is a guanidinium salt.

76. Method of isolating at least one component from a sample of biological origin, in particular nucleic acids from whole blood, whereby the sample is collected in a first, in particular evacuated, vessel where the sample or component is stabilised, characterised in that at least a part of the stabilised sample is transferred to a second, in particular evacuated, vessel by establishing a flow connection between the vessels, the component being collected on a separating element.

77. Method according to claim 76, characterised in that the second vessel is a separating device

78. Method according to claim 76, characterised in that when the component has been separated from the sample, the separating element is removed from the vessel.

79. Method according to claim 78, characterised in that the separating element is transferred to another vessel, where the component is washed and/or eluted from the separating device.

80. Method according to claim 76, characterised in that the sample element separated from the component is removed from the second vessel and the component in the second vessel is washed with a buffer solution.

81. Method according to claim 76, characterised in that the second vessel is evacuated prior to a washing step.

82. Method according to claim 76, characterised in that the buffer solution is transferred from the second vessel into another vessel in flow connection with this vessel by above-atmospheric pressure.

83. Use of the separating device according to claim 43 for separating at least a nucleic acid from whole blood.

84. Use of the kit according to claim 65 for separating at least a nucleic acid from whole blood.